

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

IN RE GOOGLE INC. COOKIE
PLACEMENT CONSUMER PRIVACY
LITIGATION

Case No. 12-MD-2358 (JW)

This Document Relates to:
All Actions

STIPULATION AND [PROPOSED] ORDER

It is hereby stipulated and agreed, between and among Plaintiffs and Defendant Google LLC, by and through their respective counsel, as follows:

1. WHEREAS, on December 19, 2012, Plaintiffs filed their Consolidated Class Action Complaint (“Complaint”) (D.I. 46);
2. WHEREAS, on June 20, 2016, the Parties filed a joint Stipulation and [Proposed] Order, permitting Plaintiffs leave to amend the Complaint to remove a deceased plaintiff and making other small changes (D.I. 161), which the Court approved on June 21, 2016 (D.I. 162);
3. WHEREAS, given the lengthy history of this litigation and the passage of time, Plaintiffs desire to substitute representative plaintiffs in this matter, to add one new representative plaintiff and to remove two current representative plaintiffs;
4. WHEREAS, Plaintiffs have not been deposed or produced substantive discovery in this action;
5. WHEREAS, the new representative plaintiff represents that he has preserved all relevant evidence since the filing of this action and agreed to adopt the responses to discovery previously provided by the current representative plaintiffs, such that his substitution will not

adversely impact discovery in this action;

6. WHEREAS, Google similarly represents that it has preserved all relevant evidence since the filing of this action and that Google will promptly produce all discovery that it previously agreed to produce in this litigation;

7. WHEREAS, the Court provided that any “motion to amend the Complaint and to join or add additional parties shall be filed on or before September 27, 2024,” (D.I. 240); and

8. WHEREAS, the parties agree that Plaintiffs should be permitted to substitute plaintiffs and to file their Second Amended Consolidated Class Action Complaint, a copy of which is attached hereto as **Exhibit A**, in order to effectuate such substitution.

THEREFORE, IT IS STIPULATED AND AGREED by the undersigned parties, through their respective counsel of record, subject to approval by the Court, that:

1. Plaintiffs Lynne Krause and Nicholas Todd Heinrich are dismissed as class representatives from the above-captioned action;
2. Plaintiffs are granted leave to file their Second Amended Consolidated Class Action Complaint, a copy of which is attached hereto as **Exhibit A**.
3. Google is not required to answer this amended complaint under Fed. R. Civ. P. 15, and Google’s Answer filed March 2, 2016 (D.I. 154) shall be deemed to be Google’s Answer to the proposed amended complaint attached as Exhibit A.
4. Google’s agreement to this stipulation shall not be construed as, nor shall Plaintiffs contend that it is, an admission by Google that any allegations are true or that any allegations in the amended complaint survive the Third Circuit’s 2015 decision in this action.

IT IS SO STIPULATED.

Dated: September 27, 2024

Respectfully submitted,

STRANGE LLP

MAYER BROWN

/s/ Brian R. Strange

/s/ Tony Weibell

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Executive Committee Member

[PROPOSED] ORDER

SO ORDERED on this _____ day of _____, 2024.

Hon. Joshua Wolson
United States District Judge

FILER'S ATTESTATION

Pursuant to Eastern District of Pennsylvania Local Rule 5.1.2 8(c), I, Brian R. Strange, attest that all other signatories listed, and on whose behalf the filing is submitted, consent in the filing's content and have authorized the filing.

DATED: September 27, 2024

/s/ Brian R. Strange

Brian R. Strange

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of September 2024, I electronically transmitted the foregoing document to the Clerk of the Court using the CM/ECF System, causing the document to be served on all counsel who are registered as electronic filers in the case.

DATED: September 27, 2024

/s/ Brian R. Strange

Brian R. Strange